

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Chen et al. )  
Serial No.: 10/695,641 ) Art Unit  
Filed: October 27, 2003 ) 2812  
Conf No.: 6417 )  
For: APPARATUS AND METHOD FOR STACKING )  
LASER BARS FOR UNIFORM FACET COATING )  
Examiner: Walter L. Lindsay, Jr. )

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this paper in response to the Office Action mailed September 27, 2006 (the "Office Action"). In the Office Action, the Examiner set forth a Restriction Requirement that identified what the Examiner has characterized as two (2) distinct inventions. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following Inventions:

- I. Claims 1-19, are drawn to an apparatus for stacking photonic devices, classified in class 372, subclass 34; and
- II. Claims 20-28, drawn to a method of stacking laser bars, classified in class 438, subclass 21.

Applicant hereby elects Invention I (Claims 1-19) for examination, without traverse.

Applicant notes that while the election set forth herein is made without traverse, the mere fact that no traverse is made should not be construed as an assessment or judgment by the Applicant as to the merits, if any, of: the characterization of the claims and inventions advanced by the Examiner in the restriction requirement set forth in the Office Action; or, any other assertions, allegations, statements or characterizations made by the Examiner in that restriction requirement.

An action on the merits of claims 1-19 and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

Dated this 25<sup>th</sup> day of October, 2006

Respectfully submitted,



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